

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GENNARO ROCCO and LORETTA)	
SCHWEINSBURG, individually and on)	
behalf of all others similarly situated,)	
Plaintiffs,)	No. 20 C 4578
)	
)	Honorable Elaine E. Bucklo
v.)	
)	
KRAFT HEINZ FOODS COMPANY,)	
Defendant.)	

AGREED JOINT MOTION TO STRIKE ALL DEADLINES

Plaintiffs Gennaro Rocco and Loretta Schweinsburg (“Plaintiffs”) and defendant Kraft Heinz Foods Company (“Kraft”), pursuant to Federal Rule of Civil Procedure 6(b), jointly move this Court to strike all deadlines and set the case for a status hearing to report on settlement on or after January 12, 2021. In support of this motion, the parties state as follows:

1. Plaintiffs filed their Complaint on August 4, 2020, Dkt. No. 1, and served a copy on Kraft’s service agent in Delaware on August 17, 2020, Dkt. No. 5. Kraft’s deadline to respond to the Complaint is currently November 5, 2020. Dkt. No. 14. The parties’ joint Rule 26(f) planning report is due on November 9, 2020. Dkt. No. 4. And the Court has set a scheduling conference for November 13, 2020. *Id.*

2. On October 8, 2020, following a mediation with Retired District Judge Wayne Andersen, Kraft reached an agreement in principle to settle the claims of a group of plaintiffs who filed class cases similar to this action. The parties anticipate that those plaintiffs will file a motion for preliminary approval of the class settlement in the first filed case, *Ferron v. Kraft Heinz Foods*

Co., No. 20-cv-62136-RAR (S.D. Fla.), within the next three weeks. The settlement, if approved, will include the claims of Plaintiffs in this action and those of their proposed class.

3. In order to allow the parties time to finalize their settlement, and for Plaintiffs to file a motion for preliminary approval of the class action settlement, the parties respectfully request that the Court strike all deadlines, strike the scheduling conference set for November 13, and set the case for status on or after January 12, 2021, by which time the parties believe their settlement will be finalized.

WHEREFORE, Plaintiffs and Kraft jointly move this Court to enter an order striking all deadlines and setting the case for a status hearing on or after January 12, 2021.

Dated: October 30, 2020

Respectfully submitted,

GENNARO ROCCO and LORETTA
SCHWEINSBURG

KRAFT HEINZ FOODS COMPANY

/s/ Carl V. Malmstrom

/s/ Dean N. Panos

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**Pro Hac Vice Forthcoming*

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